

Parcels 18, 19 & 20

Form 2464

QTXCF8-421  
2/8/1904

12-28-14 1M

Northern Pacific Railway Company  
RIGHT OF WAY DEPARTMENT

Seattle Belt Line.

Judgment & Decree DEED

Dated & entered February 8<sup>th</sup> 1904

Between Northern Pacific Ry. Co.

vs State of Washington et al

Description Right of Way across

Lake Washington Shore Lands

Noted on Right of Way Plat No. 24 25 26 27 28 29 30

Noted on Track Profile

Noted on Station Plat

Noted on Record Book No. Page

R. of W. Change Memo. No. 107

Corres. File No. 2070-12

A&B Abstract of Title

Opinion on Title

D & E Voucher \$595.00 \$110.00

Contract

Report of Negotiations

Release of Mortgage

C. Supplemental Decree

F. Receipt

G. Satisfaction of Judgment

Deed No. 137.

USEPA SF



1337736



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE  
COUNTY OF KING.

Northern Pacific Railway Company  
Petitioner.

-vs-

No. 40536

The State of Washington (b) (6)  
(b) (6)

her husband, the Puget Sound National  
Bank, of Seattle, Wash.; J.R. Lewis, the  
Lake Washington Land Company, of Everett.  
(b) (6)

JUDGMENT AND DECREE  
OF APPROPRIATION

his wife, the Merrimack River Savings  
Bank, a corporation organized and existing  
under the laws of New Hampshire. (b) (6)  
(b) (6)

husband, Claimants.

Now, on this 5<sup>th</sup> day of February, 1904, the above named  
petitioner moving for judgment upon the verdict of the jury  
herein, it appearing to the court that it has heretofore in this  
proceeding been duly adjudged that the contemplated use for which  
the land, real estate and premises in the petition described  
were sought to be appropriated is really a public use; and it  
being further adjudged that the public interest required  
the acquisition of said enterprise for which the land, real estate  
and premises were sought to be appropriated, and that the land,  
real estate and premises so sought to be appropriated were  
needed and necessary for the purposes of said enterprise;  
and it further appearing to the court that due and legal  
notice of the notice required by statute was duly, regularly  
made upon said claimants, and each of them;  
and it further appearing that the court has made its order

adjudging the necessity of appropriating said land, real estate and premises, and that the jury summoned in this proceeding before the above entitled court, found that said claimant, the State of Washington is the owner of and party interested in the herein-after described lands, real estate and premises, and that said claimants (b) (6) her husband, the Puget Sound National Bank, of Seattle, Wash: (b) (6), the Lake Washington Land Company, of Everett, (b) (6)

(b) (6)

The Merrimack River Savings Bank, a corporation organized and existing under the laws of New Hampshire, (b) (6)

(b) (6)

have no interest in the shore lands described in the petition herein on file .

And it further appearing that said jury assessed the damages sustained by said claimant, State of Washington, for the taking as a right of way of the shore lands hereinafter described, and for all injuries and damages affecting the upland and shore lands lying in front of same, in the sum of Five Hundred and Ninety-five (\$595) Dollars, exclusive of any benefits hereto by reason of said proposed improvement;

And it further appearing that the proceedings in this cause have been conducted according to law, and that the amount of said damages, to wit: Five Hundred and Ninety-five (\$595) Dollars, has been deposited by said petitioner with the Clerk of this Court to be paid out under the direction of this Court, or a Judge

It is now appearing that said petitioner is entitled to a decree of appropriation;

It is therefore, now and here, ORDERED, ADJUDGED, CONFIRMED and decreed that the said land, real estate and premises herein-after more particularly described, be and the same hereby are

appropriated for the purposes of a right of way for the railroad of said petitioner, and for all other of its corporate purposes, and the legal title be, and it hereby is, vested in the said petitioner and its successors and assigns for such corporate purposes.

The description of said shore lands , real estate and premises in this decree referred to , is as follows, to-wit:

All these portions of the shore lands of the second class in Lake Washington, King county, Washington, lying and being included within that certain 100 foot strip of land, having for its boundaries two lines that are parallel with and 50 feet distant from, on each side of the center line of the Seattle Belt Line Branch of the Northern Pacific Railway as the same is now located, staked out and to be constructed over and across such shore lands, the center line of which railroad is more particularly described as follows:

Commencing at the point of intersection of said center line with the north boundary line of section 20, Township 24 North, Range 5 East W.M., whence the northeast corner of said section 20 bears East 842 feet distant; thence in a southwesterly direction along a four degree curve to the right 259.9 feet to point of compound curve; thence along a spiral curving to the right, with an increasing radius, a distance of 231 feet to point of tangent thereto; thence south 41 degrees 17 minutes west on said tangent 264.9 feet to point of curve; thence along a spiral curving to the left, with a decreasing radius, a distance of 231 feet to point of compound curve; thence along a four degree curve to the left a distance of 575.7 feet to point of compound curve; thence along a spiral curving to the left, with an increasing radius, a distance of 231 feet to point of tangent; thence south 8 degrees 47 minutes west along said tangent, a distance of 236.5 feet to point of curve; thence along a spiral curving to the right, with a decreasing radius, a distance of 231 feet to point of compound curve; thence along a four degree curve to the right a distance of 595 feet to point of compound curve; thence along a spiral curving to the right with an increasing radius, a distance of 231 feet to point of tangent; thence south 41 degrees 44 minutes west along said tangent a distance of 575.7 feet to point of curve; thence along a spiral curving to the left, with a decreasing radius, a distance of 231 feet to point of compound curve; thence along a four degree curve to the left a distance of 575.7 feet to point of compound curve; thence along a spiral curving to the left, with an increasing radius, a distance of 231 feet to point of tangent; thence south 0 degrees 25 minutes east along said tangent, a distance of 1581.3 feet to the meander corner between sections 20 and 21, Township 24 North, Range 5 East, bears east 5 feet distant; thence along said tangent south 0 degrees 26 minutes east a distance of 1202.1 feet to point of curve; thence along a spiral curving to the left a distance of 692.9 feet to point of tangent; thence south 14 degrees 18 minutes east along said tangent a distance of 119.6 feet to point of curve; thence along a spiral curving to the right, with a decreasing radius, a distance of 595 feet to point of compound curve; thence along a four degree curve to the right a distance of 750.2 feet to point

Sheet No. 21

compound curve; thence along a spiral curving to the right, with an increasing radius, a distance of 296 feet to point of tangent; thence south 29 degrees 33 minutes west a distance of 2039.2 ft. to point of intersection with the line between sections 29 and 32, said township 24 north, range 5 east, whence the quarter corner common to said sections bears east 1059 feet distant; thence continuing along said tangent south 29 degrees 33 minutes west a distance of 906.5 feet to point of curve; thence along a spiral curving to the right, with a decreasing radius, a distance of 112 feet to point of compound curve; thence along a 3 degree curve to the right a distance of 163.3 feet to point of compound curve; thence along a spiral curving to the right, with an increasing radius, a distance of 112 feet to point of tangent; thence south 38 degrees 23 minutes west along said tangent, a distance of 677.9 feet to point of curve; thence along a spiral curving to the left, with a decreasing radius, a distance of 228 feet to point of compound curve; thence along a three degree curve to the left a distance of 256.6 feet to point of compound curve; thence along a spiral curving to the left, with an increasing radius, a distance of 228 feet to point of tangent; thence south 23 degrees 41 minutes west along said tangent 1677.8 feet to point of curve; thence along a spiral curving to the left, with a decreasing radius, a distance of 296 feet to point of compound curve; thence along a four degree curve to the left a distance of 1297.5 feet to point of compound curve; thence along a spiral curving to the left, with an increasing radius, a distance of 296 feet to point of tangent, said spiral crossing the section line between section 31, township 24 north, range five east and section 6, township 23 north, range five east at a point 333 feet west of the section corner common to sections 31 and 32, Township 24 north, range 5 East and sections 5 and 6, township 23 North, Range 5 East; thence from said point of tangent south 40 degrees 13 minutes east along said tangent a distance of 405.4 feet to point of intersection with the line between sections 5 and 6, township 23 north, range 5 east, whence the northwest corner of said section 5 bears north 388.5 feet distant; thence continuing along said tangent south 40 degrees 13 minutes east a distance of 657.3 to point of curve; thence along a spiral curving to the right, with a decreasing radius, a distance of 296 feet to point of compound curve; thence along a four degree curve to the right a distance of 215.5 feet to point of compound curve; thence along a spiral curving to the right, with an increasing radius, a distance of 296 feet to point of tangent; thence south 19 degrees 37 minutes east along said tangent a distance of 2500.8 feet to point of curve; thence along a spiral, curving to the right, with a decreasing radius, a distance of 296 feet to point of compound curve; thence along a four degree curve to the right 1425.7 ft. to point of compound curve; thence along a spiral curving to the right, with an increasing radius, a distance of 296 feet to point of tangent; thence south 49 degrees 20 minutes west along said tangent 780.5 feet to point of curve; thence along a spiral curving to the left, with a decreasing radius, a distance of 296 feet to point of compound curve; thence along a four degree curve to the left a distance of 956 feet to point of compound curve; thence along a spiral curving to the left, with an increasing radius, a distance of 296 feet to point of tangent; thence south 22 minutes east along said tangent, a distance of 112 feet to a point whence the quarter corner common to sections 7 and 8, township 23 north, range 5 east, bears east 28 feet distant, and the terminal point of this description.

Said 100 foot strip of land embracing the following areas and lands in front of each of the following government subdivisions:



✓ In front of lot 3, section 20, Township 24 north, range 5 2  
✓ W.M. 0.18 acres; in front of lot 4, section 20, said township and  
✓ range 0.20 acres; in front of lot 1, section 29, said township and  
✓ range 0.23 acres; in front of lot 2, section 29, said township  
✓ and range 0.18 acres; in front of lot 3, section 29, said township  
✓ and range 0.83 acres; in front of lot 1, section 32, said township  
✓ and range 0.17 acres; in front of lot 2, section 31, said township  
✓ and range 2.67 acres; in front of lot 4, section 31, said township  
✓ and range 0.07 acres; lot 2, section 32, said township and range  
✓ 0.03 acres; in front of lot 1, section 6, Township 23 north, range  
✓ 5 East W.M. 0.51 acres; in front of lot 1, section 5, said town-  
✓ ship and range 1.52 acres; in front of lot 2, section 5, said town-  
✓ ship and range 1.00 acres; in front of lot 3, section 5, said town-  
✓ ship and range 0.10 acres; in front of lot 4, section 5, said town-  
✓ ship and range 0.21 acres.

Dated this 7 day of February, 1904.

160 20  
O. B. Burton  
Judge.

In the Superior Court of the State of Washington  
for the County of King

State of Washington, } ss.  
County of King

*Northern Pacific Ry. Co.*

*Petitioner*

*Plaintiff*

*The State of Washington*

*et al*

*Defendants*

*Defendant*

I, C. A. KOPPEL, County Clerk of King County, and an officer of the  
State of Washington for the County of King, do hereby certify that I have compared the  
with the original *Judgment and Decree of the Court*

*and do hereby*

*Witness my hand and seal of office*

287515

SUPERIOR COURT

OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF KING

Northern Pacific  
Ry. Co. Plaintiff

vs.  
State of Washington  
et al. Defendants

CERTIFIED COPY OF  
Judgment & Decree  
of Appropriation

COMPLAINT  
Attorney  
Seattle - Washington

Filed for Record at Request of  
Geo. H. McHenry  
FEB 8 1906

on 92 min. pass 2P H.  
and recorded in Vol. 123  
of Records page 151  
Records of King County, Wash.

W. H. S. Fick  
15 min. pass 2P H.

MAIL



IN THE SUPERIOR COURT OF KING COUNTY.

STATE OF WASHINGTON.

Northern Pacific Railway Company, a corporation,  
Petitioner,

v.

No. 40536.

The State of Washington, (b) (6)  
(b) (6), The  
Puget Sound National Bank of Seattle,  
Wash., (b) (6) the Lake Washington  
Land Company of Everett, (b) (6)  
(b) (6), (b) (6) Supplemental Decree.  
and (b) (6) the  
Merrimack River Savings Bank, a corporation organized and existing under the laws  
of New Hampshire. (b) (6)  
(b) (6)  
(b) (6) Claimants.

Whereas in the above entitled cause heretofore on the  
Second day of December 1903, there was filed a stipulation between  
the petitioner, by its attorney herein, James F. McElroy, Esq.,  
and by the claimants, (b) (6)  
(b) (6) and the  
Merrimack River Savings Bank, who had theretofore appeared herein  
by written notice of appearance, which said stipulation, omitting  
the title of this Court and this cause, was in words and figures  
to the effect following, that is to say:

It is now stipulated between the plaintiff and the claimants  
(b) (6) and  
(b) (6) and the Merrimack River Savings Bank, a  
corporation, that in the above entitled cause it shall be taken as  
true for all purposes herein that the said (b) (6)  
(b) (6) and The Merri-

mac River Savings Bank will be damaged by the condemnation and  
appropriation sought in said action in the sum of Two Hundred  
Dollars (\$200.00), from which sum, however, shall be deducted  
to be awarded the State of Washington but not exceeding  
Five Dollars (\$5.00) per lineal chain measured upon the meander  
line of Lake Washington from the south line of Lot One (1)  
in Section Five (5), Township Twenty-three (23) North, Range Five  
(5) East 7th, to the intersection of the west boundary line of  
said lot one (1) with said meander line.

It is further stipulated that judgment shall be entered in  
said cause condemning and appropriating to the use of the plain-  
tiffs prayed for in the notice herein all the shore lands des-  
cribed in said notice in front of the said Lot One (1); Provided,  
that it shall be provided in the judgment and decree to be

entered herein that the said condemnation and appropriation shall be subject to the reservation to said (b) (6) and their heirs and successors in interest, of one railroad crossing at grade across the south three-fifths (3/5) of the said right of way in front of said Lot One (1) and a like crossing at grade to (b) (6) wife, their heirs and successors in interest, across the north two-fifths (2/5) of said right of way in front of said Lot One (1) the said crossings to be subject to reasonable regulations by the said petitioner as to the particular places where the said crossings shall be laid and so as not to interfere with the operation of trains upon the said right of way; Provided further, That it shall be expressly provided (b) (6) and the said (b) (6) and their respective heirs and successors in interest the right to build and maintain and have access to wharves and other structures in the waters of Lake Washington at any and all points in front of said Lot One (1) to the west of the shore lands sought to be condemned and appropriated by this proceeding and fronting upon and extending into deep water in said Lake Washington.

It is further stipulated that no costs shall be taxed in behalf of said claimants herein."

And whereas heretofore, on the Eighth day of February 1904 there was entered herein the judgment and decree of this Court and through inadvertence and mistake on the part of petitioner's attorneys in preparing said decree the provisions provided to be made in said stipulation were omitted from said decree and neither the said claimants nor their respective attorneys were present at the time of entering said decree and had no opportunity to correct the said error until this time, and the said petitioner now appearing and being present in court by James F. McElroy, Esq., its attorney, and the said claimants by their attorneys, C. W. Corlies, Esq., and L. T. Turner, Esq., it is now upon the request of the said petitioner and said claimants in open court and in accordance with said stipulation ordered, considered, adjudged and decreed that the condemnation and appropriation adjudged by the said decree hereinbefore entered on the said Eighth day of February, 1904, shall be and is hereby adjudged and decreed to be subject to the reservation to the said (b) (6) his wife, their heirs, and successors in interest, of one railroad crossing at grade across the south three-fifths (3/5) of the right of way appropriated and condemned as aforesaid in front of Lot One (1) in Section Five (5), Township Twenty-three (23) North; Range Five (5), East and a like crossing at grade to (b) (6)



and (b) (6) their heirs and successors in interest, across the north two-fifths (2/5) of said right of way in front of said Lot One (1) the said crossings to be subject to reasonable regulations by the said petitioner as to the particular places where the said crossings shall be laid and so as not to interfere with the operation of trains upon the said right of way.

It is further ordered, considered, adjudged and decreed that there shall be and is hereby reserved to the said (b) (6) and (b) (6) and their heirs and successors in interest the right to build and maintain and have access to wharves and other structures in the waters of Lake Washington at any and all points in front of the south three-fifths (3/5) of the shore line of the said Lot One (1) to the west of the shore lands condemned and appropriated in the said decree hereinbefore entered and fronting upon and extending into deep water in said Lake Washington; and there is hereby reserved to the said (b) (6) (b) (6) and (b) (6), and their heirs and successors in interest the right to build and maintain and have access to wharves and other structures in the waters of Lake Washington at any and all points in front of the north two-fifths (2/5) of the shore lands of said Lot One (1) to the west of the shore lands condemned and appropriated in the said decree hereinbefore entered and fronting upon and extending into deep water in said Lake Washington.

It is further ordered, adjudged and decreed that the said decrees entered on the said Eighth day of February 1904, be and the said is now hereby modified in accordance with this supplemental decree.

And the amount provided in said stipulation to be paid to the said claimants (b) (6) and the Merrimack River Savings Bank having been already paid by the said petitioner and the said claimants now acknowledging the receipt thereof

in open court, it is hereby adjudged and decreed that said claims  
as to damages have been fully paid and satisfied.

Done in open court this \_\_\_\_\_ day of February, 1904.

\_\_\_\_\_  
Judge.